

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

FILED
RICHARD W. NAGEL
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2020 JUN -2 PM 5:01

UNITED STATES OF AMERICA,

Plaintiff,

v.

MELODY HUDSON,

Defendant.

CASE NO. 3:20-cr-49

JUDGE Douglas R. Cole

INDICTMENT

18 U.S.C. § 1344

18 U.S.C. § 1028A

42 U.S.C. § 408(a)(8)

THE GRAND JURY CHARGES:

COUNT 1
(Bank Fraud)

At all times material to this Indictment:

Background

1. "C.M." received benefits through the Pension Benefit Guaranty Corporation (PBGC), which is a United States government agency.
2. PBGC allowed beneficiaries to have their benefits directly deposited to a bank account.
3. C.M.'s benefits were directly deposited into his bank account at Wright-Patt Credit Union until they were diverted to the Bancorp Bank as described below.
4. PBGC maintained an internet website. Among other things, the website allowed beneficiaries to update their bank account information for their PBGC direct deposits.
5. The Bancorp Bank was federally insured.

The Scheme to Defraud

6. From in or about April 2019, and continuing through in or about November 2019, in the Southern District of Ohio and elsewhere, the defendant, MELODY HUDSON, and others known and unknown to the Grand Jury, did knowingly execute a scheme and artifice to obtain any of the moneys, funds, credits, assets, securities, and other property owned by and under the custody and control of a financial institution, namely, The Bancorp Bank, by means of false and fraudulent pretenses, representations, and promises.

The Purpose of the Scheme

7. The purpose of the scheme to defraud was for MELODY HUDSON to unlawfully enrich herself by stealing C.M.'s PBGC benefits.

The Manner and Means of the Scheme

8. It was part of the scheme that on April 25, 2019, someone other than C.M. called PBGC and set up online access to C.M.'s PBGC account. The person who called PBGC provided a street address in Dayton that is associated with MELODY HUDSON. In order to access the account, the person provided C.M.'s name, Social Security number and other personal identifiers to PBGC.
9. It was further part of the scheme that someone other than C.M. accessed the PBGC account on June 29, 2019 and updated the email address associated with the online account to MelodyHudson400@gmail.com and updated the phone number to 937-369-5963. This phone number is associated with MELODY HUDSON.
10. It was further part of the scheme that on July 12, 2019, someone other than C.M. again accessed C.M.'s online PBGC account. The individual accessing the account completed a Designation of Beneficiary form, and the beneficiary was updated to MELODY HUDSON.

11. It was further part of the scheme that on July 23, 2019, an individual other than C.M. reactivated C.M.'s previously inactive checking account at The Bancorp Bank online and reactivated a previously issued debit card with C.M.'s name associated with this account. The person who accessed C.M.'s account at The Bancorp Bank had to provide C.M.'s personal identifiers in order to reactivate the account. From July 23, 2019 to present, four different phone numbers have been associated with C.M.'s Bancorp Bank account: (937) 367-1728, (937) 369-9028, (937) 242-8873, and (937) 603-1834. Each of these phone numbers is billed to MELODY HUDSON.
12. It was further part of the scheme that on July 24, 2019, an individual other than C.M. again accessed C.M.'s PBGC account online. The individual changed the direct deposit information so that C.M.'s benefits would stop being deposited in C.M.'s regular bank account and instead be deposited into the newly reactivated Bancorp Bank account.
13. It was further part of the scheme that on August 20, 2019, MELODY HUDSON called the PBGC customer service phone number. The call was recorded. She provided C.M.'s name and customer ID number. She identified herself as MELODY HUDSON, the beneficiary of C.M. She said she wanted to confirm C.M.'s direct deposit information. When the PBGC representative asked to speak with C.M., another person got on the phone and impersonated C.M.
14. It was further part of the scheme that on August 26, 2019, MELODY HUDSON called the PBGC customer service phone number. The call was recorded. HUDSON identified herself as "Tonia," a purported relative of C.M. She said she wanted to confirm C.M.'s direct deposit information again. Once again, when the PBGC representative asked to

speak with C.M., a male got on the phone and impersonated C.M. This phone call originated from 937-369-9028. This number is associated with MELODY HUDSON.

15. It was further part of the scheme that on August 29, 2019, after C.M.'s monthly PBGC benefit of \$919.53 was diverted and deposited into the Bancorp Bank account, the money was withdrawn using the debit card with C.M.'s name on it that was activated on July 23rd.
16. It was further part of the scheme that on September 30, 2019, MELODY HUDSON called PBGC's customer service line and asked if she could confirm C.M.'s direct deposit information. She used C.M.'s name and Social Security number. The call was recorded. Once again, a male got on the phone and impersonated C.M. The phone call originated from 937-242-8873. This number is associated with MELODY HUDSON.
17. It was further part of the scheme that on September 30, 2019, after C.M.'s PBGC benefit of \$919.53 was diverted and deposited into the Bancorp Bank account, the money was immediately withdrawn using the debit card with C.M.'s name on it. ATM video recorded during one of the transactions shows MELODY HUDSON withdrawing the money.
18. It was further part of the scheme that on October 31, 2019, after C.M.'s PBGC benefit of \$919.53 was deposited into the Bancorp Bank account, the money was immediately withdrawn using the debit card with C.M.'s name on it. ATM video recorded during one of the transactions shows MELODY HUDSON withdrawing the money.

The Execution of the Scheme

19. On or about October 31, 2019, in the Southern District of Ohio, the defendant, MELODY HUDSON, did knowingly execute the above-described scheme by withdrawing \$103.00 in cash from C.M.'s account at The Bancorp Bank.

All in violation of Title 18, United States Code, Section 1344.

COUNT 2
(Aggravated Identity Theft)

From in or about April 2019, and continuing through in or about November 2019, in the Southern District of Ohio, the defendant, **MELODY HUDSON**, during and in relation to any felony violation enumerated in 18 U.S.C. § 1028A(c), did knowingly transfer, possess, and use without lawful authority, a means of identification of another person.

In violation of Title 18, United States Code, Section 1028A.

COUNT 3
(Use of Social Security Number of Any Person)

On or about September 30, 2019, in the Southern District of Ohio, the defendant, **MELODY HUDSON**, for any purpose, used the social security number of any person in violation of the laws of the United States, to wit, in violation of 18 U.S.C. § 1344.

In violation of Title 42, United States Code, Section 408(a)(8).

A TRUE BILL



GRAND JURY FOREPERSON

DAVID M. DEVILLERS
UNITED STATES ATTORNEY



TIMOTHY LANDRY
SPECIAL ASSISTANT UNITED STATES ATTORNEY